

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON AUGUST 1, 2005
(Approved August 15, 2005)
(Ratified September 12, 2005)

The Board of Supervisors held their regular monthly meeting on Monday, August 1, 2005. Present for the meeting were supervisors Robert Preston, David K. Leinbach, W. Atlee Rinehart, John Doering, Jr. and Timothy Roland. Also, in attendance were John A. Koury, Jr., Township Solicitor and Casey LaLonde, Township Manager and Brady Flaharty of ARRO Consulting, Inc. Mr. Preston called the meeting to order at 7:05 p.m. and the pledge was recited.

1. MINUTES

Minutes of July 18, 2005

Mr. Rinehart moved to approve minutes of the July 18, 2005 workshop meeting as amended. Mr. Roland seconded the motion. The motion carried. Mr. Doering abstained due to his absence at the July 18, 2005 workshop meeting. Amendments being under subheading, Coventry Glen, the third sentence shall read "Mr. Leinbach noted that the 2003 IBC calls for sprinkling of attic space and he suggested that all attic spaces and everything over 35 feet be sprinkled"; under subheading, Additional Items Brought Before the Board, in the seventh paragraph, first sentence shall read "Mr. Leinbach noted the Walley et Tract Zoning Hearing Board application and reminded the applicant that the application should be inclusive of all variances necessary", in the third paragraph noted that the Fire Police Services request for July 29, 2005 was for a DUI checkpoint, the first paragraph noted the "2-inch hole" should be "2-inch release opening" and "storm drain" should be "storm detention basin", in the fourth paragraph the change "12-15' minimum easement" to "12-15' minimum public access around the property"; under subheading, Public Comments, the last sentences in the third paragraph shall read "After Mr. Heim and Mr. Preston advised Mr. Zale of the location of the exemption in the stormwater ordinance, Mr. Zale did a brief interpretation of the stormwater ordinance and found the driveway expansions requested by Blossom Meadows I residents fall under the exempt category. Mr. Zale will put his findings in writing and submit to the township".

2. PUBLIC COMMENTS

Mrs. Jane Frederick asked if a response has been received from Mr. Robert Lentz regarding the Walley et al Tract. Mr. Preston noted a response has been received and Mr. Lentz states if PECO becomes a co-applicant that would join the two properties and the 25-acre requirement would be then met. Mr. Leinbach noted it was his understanding of the Lentz letter that PECO would have to deed the ground to Walley et al. Mr. Doering moved to be in favor of the Walley et Tract road to run perpendicular to the Schoolhouse Road intersection creating a four-way stop and PECO becoming a co-applicant on the Walley et al Tract project to create 25 contiguous acres. Mr. Leinbach seconded the motion. Mr. Roland opposed. Mr. Rinehart abstained due to financial interest in the referenced property. The motion carried with a 3-1-1 vote.

Ms. Debbie Heyton of 61 Buckwalter Road stated her drain field is failing and inquired if her

house could be hooked up to public sewer. Mr. Leinbach noted a rough plan is in process for four or five of the Buckwalter Road residents. It was noted EDM Consultants is working on a proposal to do a sewer study including all residents of Buckwalter Road.

3. REPORTS

Reports from Various Departments and Committees

There was a review of the reports from various departments and committees. Mr. Preston noted a discrepancy in the June 8, 2005 Historical Commission meeting minutes. Under subheading, Township Zoning Ordinance, the minutes note that S. Bowie gave the Historic Resources Map to Supervisor R. Preston and Mr. Preston stated he did not recall this and the Historical Commission is to be contacted regarding this issue. The minutes will be held until the issue gets resolved.

Mr. Preston requested that all man-hours be reported on the Public Works report.

Mr. Rinehart moved to approve the reports from various departments and committees excluding the Historical Commission minutes of June 8, 2005. Mr. Leinbach seconded the motion. The motion carried unanimously.

Fund Balances Report

Fund	Checking	Money Market	CDs	Total
General	\$4,565.03	\$361,840.03		\$366,405.06
Capital Reserve		\$21,037.51		\$21,037.51
Highway Aid	\$2,385.25	\$115,228.46		\$117,613.71
Sanitary Sewer	\$431.69	\$958.15		\$1,389.84
Traffic Impact Fee Fund	\$1,000.00	\$228,330.28		\$229,330.28
Police Safety	\$3,080.10		\$2,500.00	\$5,580.10
Water Users	\$6,385.59			\$6,385.59
TOTAL				\$747,742.09

Mr. Doering moved to approve the fund balances report. Mr. Rinehart seconded the motion. The motion carried unanimously.

The Township Manager noted High Associates have not paid their sewer use bills for Orchard Ridge. Mr. Preston moved to not release any U&O's for Orchard Ridge until High Associates, Inc. pays the sewer bills and send a certified letter to the developer to that effect. Mr. Leinbach seconded the motion. The motion carried unanimously.

Budget Summary Report

There was a review of the budget summary report.

4. SUBDIVISION AND LAND DEVELOPMENTS

Project: Blossom Meadows II Applicant: All County Partnership

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 6 for Blossom Meadows II. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Blossom Meadows I Applicant: All County Partnership

Mr. Leinbach moved to authorize the Township Engineer to perform a final inspection of Blossom Lane per All County Partnership offer of dedication letter dated July 19, 2005. Mr. Rinehart seconded the motion. The motion carried unanimously.

Project: Woodcrest Estates Applicant: The Nolen Group

Mr. Leinbach moved to approve Escrow Release No. 2 for Woodcrest Estates for the amount to \$277,110.90. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Creekview Applicant: Heritage Building Group

Mr. Leinbach moved to approve Escrow Release No. 2 for Creekview for the amount to \$132,708.76. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Doering moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 3 for Creekview. Mr. Rinehart seconded the motion. The motion carried unanimously.

Project: Coventry Glen Applicant: Heritage Building Group

Mr. Leinbach moved to approve Escrow Release No. 5 for Coventry Glen in the amount of \$579,659.40. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 6 for Coventry Glen. Mr. Doering seconded the motion. The motion carried unanimously.

There was a discussion regarding the height of the buildings at Coventry Glen. Mr. Ross Unruh, counsel for NV Homes and a representative of NV Homes was present.

It was noted the Fire Company requested the entire building be sprinkled for buildings over 35 feet. Mr. Leinbach suggested the Township's Code Official/Building Inspector interpret the IBC and provide feedback to the Board of Supervisors. Various options suggesting possible additional sprinkling requirements were discussed. Mr. Leinbach noted he intends to follow the Uniform Construction Code as adopted by the State of Pennsylvania which includes the IBC, IRC, etc. and will not support additional sprinkling requirements not found in the Uniform Construction Code.

Mr. Dennis O'Neill of Manley Consultants was present to discuss the sewer lateral design for Coventry Glen. Mr. Rinehart moved to allow fully encased Schedule 40 PVC out to 12" beyond the bottom of the footing brought through the floor fully encased – with concrete

block poured under the first cleanout which is within 5' of the house – that concrete should be extended to within ½" of the footing that was encased – with a ductile iron pipe above with a coupling. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Tailored Turf Applicant: Jeffrey Kratz

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 2 for Tailored Turf. Mr. Roland seconded the motion. The motion carried unanimously.

Project: Coventry Greene Applicant: Heritage Building Group

There was a brief discussion regarding the dedication of Coventry Greene Lane. Mr. Leinbach moved to not accept the offer of dedication and the Township Engineer's recommendations and the Scaringi property issues must be satisfied before the dedication process may begin. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Ivywood Estates Applicant: T.H. Properties

Mr. David Brewer of T.H. Properties, Inc. was present. Mr. Brewer noted T.H. Properties appeared before the Zoning Hearing Board on July 19, 2005. The Township Solicitor suggested an executive session take place before further discussion.

Mr. Glenn Siegele of 2510 East Cedarville Road was present. Mr. Siegele has concerns regarding the Ivywood Estates development and the Board of Supervisors noted Mr. Siegele could attend Planning Commission meetings. Mr. Rinehart moved to attach to the minutes the letter presented by Mr. Siegele. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Heather Glen Applicant: Heritage Building Group

Mr. Doering moved to approve Escrow Release No. 1 for Heather Glen in the amount of \$106,825.50. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 2 for Heather Glen. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Meadowbrooke Hunt Applicant: Fulmer Road, LP

It was noted curbing and sidewalks have not been installed and the construction schedule contained in the plans is not being followed at Meadowbrooke Hunt. Mr. Leinbach moved to authorize the Township Engineer to perform a site inspection and the Code Official/Building Inspector is to issue a cease and desist. Mr. Preston seconded the motion. The motion carried unanimously.

Mr. Preston moved to perform site inspections of developments once per month. Mr. Leinbach seconded the motion. The motion carried unanimously. The Township Engineer is to draft a letter to be sent to developers addressing this issue.

Mr. Ray Kolb, Public Works Supervisor, noted that the developer of Meadowbrooke Hunt requested an additional driveway be added on Fulmer Road for 38 Maack Road, Lot 11. Mr. Kolb stated he denied the permit and the Board of Supervisors concurred with that action.

5. OTHER BUSINESS

6. DISCUSSION ITEMS

Zoning Ordinance

It was noted further changes have to be made to the Zoning Ordinance mostly typographical. The Township Solicitor suggested the ordinance be sent to the County for review and a conference call be arranged involving himself, Township Manager, Township Planner and Mr. Walter Woessner to discuss corrections necessary. Corrections need to be made before presented to public for review.

Ms. Gail Brown noted concerns of her property being zoned to C-1 and the uses that will be allowed. Mr. Leinbach noted the use of her property is grandfathered. Ms. Brown also had concerns with berms. Mr. Preston suggested Ms. Brown send her comments in writing so they may be addressed.

7. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Mr. Preston asked if a letter was sent to All County Partnership in response to Mr. Paul Martin's concerns. The Township Manager noted he would follow up.

Mr. Leinbach moved to apply for the Safe Street Funding for possible connection from Creekview to the East Coventry Elementary School. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Rinehart moved to award the removal of the dead tree at Ebelhare and Kulps Roads to B.G. Services for the amount of \$2,100.00. Mr. Roland seconded the motion. Mr. Preston and Mr. Doering opposed due to the selected contractor not being the lowest bidder and being chosen due to residency. The motion carried with a 3-2 vote.

The Township Solicitor noted he was in receipt of a draft agreement for an alternative septic system for 121 Hershey Drive. The Township Solicitor will prepare a review and submit to the Board of Supervisors for comment.

Chief John Theobald noted that 44 applications were received the police officer position. Chief Theobald also noted that the sobriety checkpoint recently held resulted in 4 arrests, 3 DUI's, 1 assault, and 7-8 citations.

Mr. Doering moved to approve payment of bills presented, Fayette Group for \$8,100.00, Lenni Electric Corporation for \$43,969.50, Local Government Capital Project (truck loan) for \$1,312.37 and Water Users for \$382.31. Mr. Leinbach seconded the motion. The motion carried unanimously.

8. ADJOURNMENT

Mr. Rinehart moved to adjourn the monthly meeting at 10:20 p.m. Mr. Doering seconded the motion. The motion carried unanimously. An executive session was held to discuss potential litigation.

The Board of Supervisors reentered the public meeting at 11:15 p.m.

NV Homes

Mr. Doering made a motion that the Township Solicitor shall appear at the August 9, 2005 Zoning Hearing for NV Homes and place into the record the Board's position that as volunteered by NV Homes, the "Carnegie" units shall have full sprinklers from the attic space to basement and that the Board shall not oppose the application. Secondly, that the Zoning Hearing be continued to August 25, 2005 to hear the "Morgan" unit appeal. Mr. Roland seconded the motion. The motion carried unanimously.

Ivywood Estates

By a Board consensus, until the decision rendered by the Zoning Hearing Board is received, no Board of Supervisors action will occur.

The Township Manager shall forward the decision when received to the Board and order a transcript.

Phase I Sewer Permit Process

Mr. Leinbach made a motion to have the Township Engineer begin the process of drafting a permit for residents requesting to tap into the Phase I Sewer System. Mr. Rinehart seconded the motion. The motion carried unanimously.

Orchard Ridge - Collection of Sewer Use Fees

By Board consensus, the Township Manager and Solicitor were authorized to collect sewer use fees from High Associates for the Orchard Ridge development. High Associates owes the Township approximately \$14,000 that is overdue.

Mr. Doering made a motion to rescind the earlier Board action to deny Use & Occupancy Permits from the Orchard Ridge development project due to lack of payment for sewer use charges. Mr. Rinehart seconded the motion. The motion carried 4-1 with Preston opposed.

Adjournment

Mr. Leinbach made a motion to adjourn at 11:25 p.m. Mr. Rinehart seconded the motion. The motion carried unanimously.

Respectfully submitted,

David K. Leinbach
Township Secretary